

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISION), ARTICLE III (DETAIL SITE DEVELOPMENT PLAN APPROVAL PROCESS), SECTION 20.04.160 (CONTENT OF APPLICATION) AND ARTICLE VI (CHANGES AND AMENDMENTS) SECTIONS 20.04.380 (APPLICATION REQUIREMENTS) AND 20.04.430 (RECOMMENDATION BY COMMISSION) OF THE EL PASO CITY CODE TO REMOVE REQUIREMENTS FOR GENERALIZED SITE PLAN, ADD A REQUIREMENT FOR DIGITAL APPLICATION SUBMITTAL AND ADD AN EXPIRATION DATE FOR APPLICATIONS AFTER ACTION BY CITY PLAN COMMISSION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Title 20 (Zoning) of the El Paso City Code was adopted to promote the health, safety, morals and general welfare of the community; and,

WHEREAS, the City of El Paso, in accordance with the Lean Six Sigma method, is seeking to improve the process for reviewing zoning applications; and,

WHEREAS, the City Plan Commission after a public hearing recommends approval of the proposed amendment; and,

WHEREAS, the City Council after a public hearing has determined this amendment is in the best interest of the public and will promote the public health, safety, and welfare of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

SECTION 1. That Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Article III (Detailed Site Development Plan Approval Process), Section 20.04.160 (Content of Application) of the El Paso City Code be amended in its entirety as follows:

Detailed site plan applications shall be submitted in a digital form compatible with the city's system. Paper submittals of application documents shall be assessed the established fee for conversion of paper documents to digital format. The fee for conversion of paper documents to digital format shall be in the amount established by City Council in the annual budget resolution, amendments to the budget resolution, or other appropriately adopted resolution or ordinance of the City Council. Applications shall at a minimum include the following:

- A. Legal description of area proposed to be developed or metes and bounds description and amount of land included certified by a professional engineer (P.E.) or a registered land surveyor;
- B. **A detailed site development plan** showing the boundaries of the tract proposed for development; elevations or perspective of the building; location and arrangement, use, dimensions, square footage and height of all structures, including, where

applicable; number of dwelling units in multifamily structures and number of bedrooms in each unit; yards, setbacks (number of feet); sidewalks and curb cuts; driveways; stormwater drainage; on-site parking spaces, to include loading and unloading berths; open spaces; landscape planted areas; size, design and location of exterior signs; screening walls; screening of on-site parking facilities;

- C. Stamp or seal and signature of a professional engineer or architect preparing plans;
- D. Proof of ownership, (warranty deed, title commitment, etc.);
- E. Tax certificate;
- F. Fee as adopted by city council;
- G. The fee required by this section and Section 20.04.410 of this Code, and established by the city council in accordance with Section 20.04.800 of this Code, pertaining to properties located within the boundaries of the Tax Increment Financing Zone No. 5, and any neighborhood empowerment zone which may be designated by a resolution of the city council, shall be reduced by one hundred percent for the period from the effective date of the ordinance codified in this chapter through August 31, 2008; reduced by eighty percent for the period from September 1, 2008 through August 31, 2009; reduced by sixty percent for the period from September 1, 2009 through August 31, 2010; reduced by forty percent for the period from September 1, 2010 through August 31, 2011; and reduced by twenty percent for the period from September 1, 2011 through August 31, 2012.

SECTION 2. That Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Article VI (Changes and Amendments), Section 20.04.380 (Application Requirements) of the El Paso City Code be amended in its entirety as follows:

Application documents shall be submitted in a digital form compatible with the city's system. Paper submittals of application documents shall be assessed the established fee for conversion of paper documents to digital format. The fee for conversion of paper documents to digital format shall be in the amount established by City Council in the annual budget resolution, amendments to the budget resolution, or other appropriately adopted resolution or ordinance of the City Council. The application shall at a minimum contain the following:

- A. One copy of the zoning map, outlining in red the area proposed for change of zoning.
- B. Where land proposed for rezoning is occupied by a building(s), or use(s), a detailed site development plan shall be required in accordance with Section 20.04.160(B).
- C. The lettering shall be so placed on the plans so as to be read from the bottom or from the right-hand side of the sheet, and the north point shall be directed away from the reader.

ORDINANCE NO. _____

18-1007-2213 | 795828

Title 20-Zoning Code amendment LSS

OAR

- D. Proof of notice of proposed application to any recognized neighborhood association required to receive notice pursuant to Chapter 2.102 of this Code.
- E. A traffic impact analysis may be required, at the rezoning stage of the development, if the property is being rezoned to a more intense use or to a use that has the potential to increase the traffic impact on the adjacent traffic infrastructure. A traffic impact analysis shall be required at the rezoning phase, if such increase in intensity of use meets the applicability standards as set forth in Section 19.18.010(B) of this Code.

SECTION 3. That Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Article VI (Changes and Amendments), Section 20.04.430 (Recommendation by Commission) of the El Paso City Code be amended in its entirety as follows:

- A. A report on the commission's recommendation and merits of the proposal and requested change shall be forwarded for introduction to city council within sixty days from the date of the commission's final consideration.
 - 1. Extension. An applicant may request the City Manager or designee to extend the sixty day introduction period requirement for an additional sixty days. The request must be in writing and must be submitted prior to expiration of the initial sixty day prescribed period. In the event the application is not forwarded to city council by the end of the extended prescribed period, the application shall expire and a new application and fee shall be required in order to re-submit the application to the City Plan Commission.
- B. The commission may recommend approval, approval with modification, or disapproval.
- C. The report of the commission shall include the relation of the proposed change to the city's comprehensive plan, the effect upon the natural environment, and upon social and economic conditions and property values in the vicinity and in the city as a whole.
- D. In the event of recommendation for disapproval by the city plan commission, the procedure shall be concluded unless the applicant within fifteen days of the city plan commission recommendation appeals the recommendation to the city council. In the event of such an appeal, the executive secretary shall forward the application and appeal to the city council for introduction within thirty days of the request for appeal along with a statement giving the city plan commission's reasons for recommending disapproval.
 - 1. Extension. At the request of the applicant, the thirty day prescribed period to forward the appeal to city council for introduction may be extended by the City Manager or designee for an additional thirty days. The request shall be in writing and shall be submitted prior to expiration of the initial thirty-day prescribed period.

ORDINANCE NO. _____

18-1007-2213 | 795828

Title 20-Zoning Code amendment LSS

OAR

In the event the appeal is not forwarded to city council for introduction by the end of the extended prescribed period, the procedure shall be concluded.

SECTION 4. Except as herein amended Title 20 (Zoning) of the El Paso City Code shall remain in full force and effect.

ADOPTED this _____ day of _____, 2018.


THE CITY OF EL PASO

Dee Margo, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Omar A. De La Rosa
Assistant City Attorney

APPROVED AS TO CONTENT:

Victor Morrison-Vega
Planning & Inspections Department

ORDINANCE NO. _____

18-1007-2213 | 795828
Title 20-Zoning Code amendment LSS
OAR